





# THE WILMINGTON JOURNAL.

WILMINGTON, N. C., FRIDAY, FEB. 15, 1850.

**TWO WEEKS' SESSION.**—The attention of all persons interested is called to the advertisement of L. H. MARSHALL, under "General Notices." The next Term of New Hanover County Court will be continued for two weeks. See advertisement.

**FIRE.**—A fire broke out about ten o'clock on Tuesday night in a framed stable, on the east side of Third Street, between Walnut and Mulberry. The building belonged to Mr. A. A. WANNETT, and was totally destroyed. The exertions of the firemen and citizens prevented any other property from being injured. The loss is not heavy.

**COMMERCIAL BANK.**—It will be seen by the advertisement in another column, that the Directors of the Commercial Bank have declared a dividend of 4 per cent upon the capital stock; the six months ending on Saturday last.

**The Wilmington Convention.**—We do most sincerely hope that none of our sister counties in this district will fail to send delegates to the Southern Rights Convention, to be held in Wilmington on the 11th of next month. We can see no earthly reason why they should hesitate, but, on the contrary, every reason why they should be represented. The Convention has no ends nor aims to which any citizen of North Carolina can object. It does not point to a dissolution of the Union, but, on the contrary, to its preservation, upon the only basis upon which it can be preserved—that of the constitution, the only contingency upon which dissolution would be resorted to, is that in which all Southern men will agree—that of a violation of the condition upon which the Union was framed. Such being the actual state of the case, we would beg leave to urge upon our friends in the various counties, the propriety of being represented, and represented, too, by their ablest and most discreet men; for it is only in the spirit of coolness and moderation that this question should be met. We have too much respect for the good sense of our readers to indulge in a strain of nonsensical bravado; the question of union or disunion is too serious a one—too intimately entwined with all the recollections of the past, the feelings of the present, and the hopes of the future—to be treated in a spirit of demagoguism, or resigned to the control of reckless agitators. The people—the sober, reflecting people—alone possess any influence in this matter, and the time has come when they must take it into their own hands. Whatever some few hot-headed individuals may say, and perhaps, think, we feel convinced that the New Hanover resolutions express the feelings of the people of North Carolina—that people is devoted to the Union, and when they abandon it, it will only be when they are reduced to the alternative of dishonor or dishonor—they wish to know no North and no South, but their country—and they wish to use every means in their power to avert a catastrophe only preferable to dishonor or the abandonment of principle—but if the worst does come, if the alternative is, indeed, presented, there will be but one unanimous decision—disunion before dishonor.

At a crisis of this kind, the moderate and thinking portion of the community cannot afford to stand aloof. Their presence is necessary to calm undue excitement, and to give moral weight and influence to movements which would otherwise be only potent for evil, but powerless for good. With their assistance, the Nashville Convention will be a means of effecting much good—without it, it will be a mere fire-brand. Such considerations, we think, should have their weight even with those who, were the question brought before the public for the first time, might be inclined to differ from the advocates of such Convention. It is now certain that the Convention will be held, and the question for the people of North Carolina is not, Convention or no Convention—but will North Carolina be represented, or will she not? Will she, by sending her firmest and best men there, add moral power to the Convention, and exert a due influence on its deliberations? Or will she, by standing apart, seem to give sanction to the idea of want of union among the Southern States, at the same time that she abandons the whole subject to those in whom, by her refusal to co-operate, she has expressed her distrust?

We are happy to see that a meeting of the people of Cumberland county was held in Fayetteville on Monday last. We have not received the official proceedings, but learn from the *Observer* that Dr. BEX, Robinson presided, with JOHN MURPHY, Esq., and Dr. THOMAS N. CAMERON, as Vice Presidents, and ARTHUR McLEAN and J. G. SHEPHERD, Secretaries. The resolutions, in mild but firm language, approve of the Southern Convention, and appoint fifty delegates to the District Convention at Wilmington, on the second Monday of March.

The proceedings of a meeting held this week in Columbus county, will be found in our columns, and we learn that a meeting is to be held in Bladen on the 22d. County Courts, we believe, will be held in all the remaining counties of the district between now and the second Monday in March, and we would suggest, may, urge upon the people of those counties, to hold meetings and appoint delegates at their respective County Courts. We confidently hope and believe that every county will be represented.

We learn verbally, that a meeting will be held at Clinton, Sampson county, next week.

**THE COLUMBUS MEETING.**—We have read the proceedings of the meeting held at Whiteville, on Monday last, with considerable care, and are pleased to find that they breathe the proper spirit—a spirit of firmness and moderation—a firmness that will not yield an inch in the hour of trial, but a moderation that will have no means untaken to avert such trial. The resolutions harmonize with the feelings which we have found universally prevalent upon this subject. The people are prepared for firmness, but not violence.

**Population of California.**—We cannot help thinking that the estimate of the probable population of California has been most egregiously exaggerated. The highest statement of the vote cast at the recent election there for Governor and members of Congress is fifteen thousand, while other statements make it not more than thirteen thousand. Now it should be remembered that the present population of California is composed almost exclusively of adult males, capable of voting, not as in the States of men, women and children indiscriminately. The proportion of votes to population in the free States, is about one to every six. In California there should be at least one to every four, if not to every three, which will plainly show that the population at the very highest cannot exceed 60,000, if indeed, it equals 50,000. We think the latter number is pretty near the mark. If it does not go beyond it, this should certainly be looked into before California be admitted as a State with two Representatives, when, in fact, she has not the requisite population for admission at all.

**ALABAMA.**—The members of the Legislature of Alabama assembled in Caucus on the 6th inst., and appointed eight delegates from the State at large, and four for each congressional District, composed of an equal number from both the political parties, to attend the Southern Convention to assemble at Nashville in June next.

**Mr. Clay's Speech.**—Mr. CLAY's speech in support of his compromise resolutions is very long—quite as long, if not longer, than Gen. CASS's speech upon the Wilmot Proviso. It fills some eighteen columns of the National Intelligencer. Of course, we could not pretend to publish it, or even any considerable portion of it. In our Congressional summary, we have striven to give, and we believe, have succeeded in giving pretty accurately, the leading points and positions which Mr. CLAY assumed. In expressing any opinion in regard to this effort, we would wish to be guided solely by what we conceive to be its merits, apart from any partisan bias. As a party man, we have ceased to regard Mr. CLAY as the possessor of any real power or influence beyond a personal popularity, which is rather momentary and retrospective in its character. (All parties praise HENRY CLAY pretty much upon the same principle that people always find so many virtues in the dead defunct—he is politically dead, and his appearance upon the stage of public affairs is a sort of mental ghoul—a posthumous existence, which is perfectly harmless to his opponents and useless to his friends.) This ghostly and unsubstantial character is remarkably apparent in his resolutions and speech. Not one of his resolutions asserts a bold and decided position, with the exception of the last;—not one of them pretends to be founded upon principle;—not one of them grants one iota to the South—and, moreover, not one of them settles anything definitely. The first says that California shall be admitted with "suitable" boundaries. Does the term suitable settle anything in regard to the boundaries? The second is equivalent to the Wilmot Proviso, without daring openly to say so. It says that, whereas, slavery does not exist by law, being, as Mr. CLAY says, already abolished by Mexico, Congress should not interfere with the subject. Now what is this but a solemn decision by Congress that slavery does not exist, and must not be introduced into the territories. The third and fourth resolutions provide that Texas shall surrender her claim to all her territory within the bounds of New Mexico. This territory is South of 36 30, and while belonging to Texas, is, by virtue of the treaty of annexation, slave territory, but, when separated, falls under the operation of the second resolution, by which it is virtually provided. The fifth resolution declares it *imexpedient* to abolish slavery in the District, unless upon certain conditions. If the people of the South are satisfied with this we will be much surprised. If the mere assertion of its inexpediency puts a stop to Northern agitation in regard to it, we will be still more surprised. We can see no objection to the sixth resolution, which declares it expedient to prohibit the slave trade in the District, provided, as Mr. FOOTE observed, it is done without the appearance of insult. It should be remarked that in this case it is again the South which is called upon to make the concession. The fact asserted in the seventh resolution, that more effective provision should be made by law for the recovery of fugitive slaves, has already been recognized by the Senate, and a bill brought in in accordance therewith.

The eighth resolution, which, by the by, is the only positive one in the bunch, asserts that Congress has no power to interfere with the slave trade between the States. It would be difficult to see how much compromise this contains, since it merely asserts a constitutional truth, which is not seriously called in question by any respectable number of people. The speech partakes of the character of the resolutions. Mr. CLAY seems a stranger to "the sweet slumber of a decided opinion." Like Mahomet's coffin, he seems to be suspended between two magnets of which, however, the North is the more powerful, and, to all intents and purposes, draws him as it pleases. Like the lover in the song, he could be "happy with either, were't other dear charmer away."

There is one thing perfectly apparent. Spite of Mr. CLAY's repeated disclaimers, he has not quite given up the Presidency yet. This is a curious study, as exhibiting a strange fact in mental physiology, i. e. the tenacity with which a ruling passion retains its power. In any other sense it is a matter of no earthly importance, because, as we said before, Mr. CLAY's present career is perfectly posthumous, and he stands about as much chance as the man in the moon. We feel inclined to look to the Territorial Committees of the two houses for the project which will effect a settlement of this vexed question.

**Rejection of Webb.**—The Senate, on Monday last, by a vote of 35 to 7, rejected the nomination of JAMES WATSON WEBB, as Charge to Austria. Ex-Governor SEWARD was unable to save his "devoted friend." The precise state of the vote is not known, but it is said that not even one New England Senator voted for WEBB. Mr. CLAY voted against him; and nothing but SEWARD's exertions prevented the rejection being unanimous. So much for one of the appointments. WEBB, after this, will be "the great rejected."

**MEETING IN WAYNE.**—The *Goldboro' Telegraph* contains a call for a Southern Rights meeting of the people of Wayne county, without distinction of party, to be held on Tuesday of Court week, (next Tuesday,) in order to obtain a free expression of the sentiments of the people on the great question of Southern Rights.

**EXPLOSION.**—The steamer *Russia*, from New Orleans, burst her boiler on the 8th inst., while outside of the Balize. Four sailors were killed, and several others severely wounded.

**MORE GOLD.**—The steamers *Ohio* and *Cherokee* have arrived in New York since the *Empire City*. The first brings \$500,000; the latter, which got in on Tuesday last, the 12th inst., brings \$100,000. These three arrivals, the *Empire City*, *Ohio*, and *Cherokee*, have brought very nearly four millions of dollars worth of gold dust in little over a week. There is no later news.

**TURNING OUT THE FREE SOILERS.**—The General Democratic Committee of Tammany Hall, N. Y. city, passed the following resolutions at their last meeting. Truly things begin to look like "the beginning of the end" of the anti-slavery agitation:—  
Resolved, That the individuals in this committee who voted against Cass and Butler at the last Presidential election, viz: Rynders, Parker, Downing, Kelly, and Miller, be expelled from this committee, inasmuch as at the last meeting a resolution was passed by the committee, declaring ineligible, as members thereof, any person who voted against Cass and Butler.

Resolved, That we deem the union of the American State; the primary political object of all true democrats.  
Resolved, That we continue to regard Martin Van Buren as a traitor and an ingrate and to detect those who supported the infamous coalition formed at Buffalo by whigs, negroes, and the so-called leaders of the Van Buren faction.

Resolved, That we are opposed to the Wilmot proviso, as the expression of a political heresy, in violation of the constitution, and dangerous to the perpetuity of our Union.  
Resolved, That a meeting of the democratic republican party be called at Tammany Hall at an early day, to express the voice of the great city of New York in favor of the preservation of our glorious Union.

**FIRE IN BUFFALO.**—A fire occurred in Buffalo, N. Y., on the 5th inst., which consumed property to the amount of \$50,000.  
The Southern mail had not arrived when we went to press, yesterday afternoon.

**For the Journal.**  
**Southern Rights Meeting in Columbus.**  
It having been announced that a meeting of the citizens of Columbus county would be held in the Court House at Whiteville, on Monday, the 11th inst., a respectable portion of the citizens assembled for the purpose of considering the all-absorbing question of slavery, and to deliberate upon what they conceived to be the proper steps to meet the present crisis, and to save, if possible, the Union of the States.

Col. JOSIAH MAULTSBY was called to the Chair, and in a very impressive and earnest manner explained the object of the meeting.

The Rev. H. LEXON and JOHN G. POWELL, Esq., were requested to act as Secretaries.

On motion of A. F. TOON, Esq., the Chair appointed a committee of six individuals to prepare and report resolutions for the consideration of the meeting. The Chair appointed the following gentlemen, viz: Fournier George, Esq., Jno. Meares, A. F. Toon, Esq., N. L. Williamson, Esq., A. F. Powell, Esq., and Col. W. M. Baldwin. The committee having retired, James Barnes, Esq., was called upon to address the meeting, who responded in a speech of unusual brevity and power, declaring his undiminished attachment to the Union, and his deep and constant veneration for the Constitution. He deprecated the want of a feeling of regard to the South among our Northern brethren, as manifested in the proceedings of the Legislatures of some of the Northern States, and was proceeding to explain his views of the great and momentous subjects now at issue in this country, when he was interrupted by the return of the committee, who reported through their chairman, F. George, Esq., the following resolutions:

1st. Resolved, That the people of Columbus county entertain feelings of veneration, affection, and regard towards the Union, and deprecate the existence of any subject calculated to impair its permanency and stability.  
2d. Resolved, That, whilst we solemnly entertain these feelings towards the Union, yet we will not submit silently to injustice or wrong.  
3d. Resolved, That we deplore the existence of a wrong state of feeling in the Northern States on the subject of the Wilmot Proviso, as proposed to be applied to our lately acquired Territory, and protest against the disposition exhibited by them in disregarding and violating that clause in the Constitution which guarantees to us the right of reclaiming our runaway slaves.  
4th. Resolved, That we approve the proposition to hold a Southern Convention at Nashville, for the purpose of deliberating and uniting upon some plan to protect the South from Northern aggression.  
5th. Resolved, That we approve of a convention being held at Wilmington on the second Monday of March.  
6th. Resolved, That the chairman of this meeting appoint twenty-five delegates to represent this county in said convention at Wilmington.

7th. Resolved, That the Wilmington and Fayetteville papers be requested to copy these proceedings.  
Fournier George, Esq., then being called upon for a speech, spoke in high tones of eloquence, for the preservation of the Union at all hazards, save principle; and showing conclusively, that as regards different opinions entertained at the South as there are the abolition of slavery in the District, and the Wilmot Proviso, as proposed to be applied to our lately acquired Territory, a Southern Convention was all important; and that in the Nashville Convention, the Southern States should unite and form a Southern Platform, based upon constitutional grounds, upon which, if the North trespassed, they will bind themselves, to boldly and unitedly resist; and concluded by earnestly urging the unanimous adoption of the resolutions, showing that they were based upon motives of justice and love for the Union, and that our motto should be "in the Union, and for the Union, in the South and for the South."

Col. J. G. McDUGGAL, of Elizabethtown, was then called upon, with remarks from various other portions of the house, that "the meeting wished to hear from Bladen." The Col. said that Bladen should be heard from, "and although she had a weak representative, yet he assured Columbus that Bladen was always ready to act in union with her sister counties when they were, as at present, acting upon bold and just principles;" and addressed the meeting in general terms upon the expediency of taking the course that the South was now pursuing, and spoke at considerable length upon the veneration he held for the Union; and the insults of the North—in eloquent and patriotic strains, and concluded by saying, "Mr. President and citizens of Columbus, in this matter let us to-day take a bold, united and decisive stand; to-morrow we may compromise; the next day we will maintain our rights, irrespective of consequences. As for myself, rather than longer withstand Northern aggression—rather than be deprived the right of locomotion into the Territory acquired as well at least by the South as the North, I will stand firmly upon the soil of—"

Old Bladen, the Eden of the Earth,  
The land of my sire, and the best scene of my birth,  
And see the States of this glorious Confederacy fall,  
Star by star, until the whole thirty glimmer but in dim light, and form separate and distinct Governments." (Cheering.)

Robert E. TROY, Esq., of Lumberton, was called on, who addressed the meeting in an able manner, in strong and emphatic language, pictured the benefits of the Union, and sincerely hoped that the present crisis might be passed—and that our children's children might, for the glorious stars and stripes, entertain the same love and veneration that animated their sires. He approved the adoption of the resolutions, as being moderate, and hoped that our action would have the desired effect.

On motion of Col. J. G. McDUGGAL, the resolutions were unanimously adopted.  
In accordance with the sixth resolution, the chair appointed the following delegates to attend the District Convention, to be held at Wilmington, on the second Monday of March, viz: John A. Maultsby, F. George, Esq., Col. W. M. Baldwin, Major J. Powell, Messrs. C. Haynes, W. G. Smith, D. D. Campbell, A. F. Toon, R. Wooten, M. Powell, N. L. Williamson, A. F. Powell, Alva Smith, Dr. F. Williamson, F. K. Powell, J. Meares, W. J. Standley, J. Mills, J. Gore, Jonathan Gore, W. Gore, J. Beach, D. Register, J. High, Dr. P. Forneyduval.

On motion of F. George, Esq., the Chairman and Secretaries were added to the delegation.  
On motion of R. E. TROY, Esq., it was Resolved, That the thanks of the meeting be tendered to the Chairman and Secretaries.

JOSIAH MAULTSBY, Ch'n.  
H. LEXON, J. G. POWELL, Sec's.

**DISMAL SWAMPY CANAL.**—The Norfolk Beacon speaks in uncompromising terms of the management of the Dismal Swamp Canal. The late annual report of the Company shows that the amount collected during the past year was \$39,748.23, and that after paying a dividend of 41 per cent, out of the net profits, an available balance of \$13,065.73 remained.

Two men named OLIN and ALLEN REVELL, have been taken up at Rutherfordton, (N. C.) A number of counterfeit bills were found in their possession, and among them Three Dollar Bills on the Bank of Cape Fear; Fives on the Planters & Mechanic's Bank of Charleston; and Twenties on the Bank of Georgetown, (S. C.)

**A MODEL DUEL.**—A model duel is at present the talk of Paris. One member of the Chamber of Deputies sent another member a bullet in a neat paper box, with his card; the other returned the compliment by sending another bullet in a mahogany box. After this exchange of bullets the antagonists declared their honor to be satisfied. All duels should assume the same character.

**From the Hunter (S. C.) Banner, Feb. 8th.**  
**Wilmington and Manchester Railroad.**  
At the annual meeting of the Stockholders of the Wilmington and Manchester Railroad Company, convened at Sumterville, on Wednesday, 30th of January, 1850, on motion, Wm. Haynsworth, Esq., was called to the chair, and Montgomery Moses and John McRAE, Jr., appointed secretaries.

On motion—a committee of three was appointed by the chair, consisting of O. G. Parsley, D. B. No-Laurin, and Dr. Robt. Harlee, to verify proxies. The meeting then adjourned until half past 2 p. m. At half past 2 p. m., according to adjournment, the committee, through their chairman, having reported that 4,485 shares of the Capital Stock were represented, the chairman of the meeting declared said meeting duly organized.

Gen. Harlee, the President of the Company, then read the annual report of its affairs and condition, which, together with the accompanying documents, consisting of reports from the Engineer, Treasurer, and Committee on accounts, Books, Vouchers, &c., on motion F. J. Moses, were referred to a committee consisting of Messrs. Holmes, Rogers, Mays, Dr. Harlee, W. A. Muldrow, Parsley and Knox, to report on the same to the meeting, and on the recommendations therein contained.

The following resolution was submitted to the meeting, viz: That the condition on which the additional subscription to the Wilmington and Manchester Railroad by the Town of Wilmington has been made, be referred to a committee consisting of O. G. Parsley, Gen. Harlee, and Major Haynsworth—and that they report upon the expediency and propriety of accepting the said subscription." Mr. Parsley moved that a committee be appointed to nominate a President and Directors for the ensuing year, the following gentlemen as said committee: Messrs. Parsley and Holmes, of Wilmington, Stephenson and Evans, of Marion, Rogers and Law of Darlington, and Mays and Leond. White of Sumter.

On motion, meeting then adjourned to Thursday morning, 10 o'clock.

**THURSDAY MORNING, JANUARY 31st:** met according to adjournment. The committee appointed under second resolution of Col. F. J. Moses on the preceding day, through Gen. Harlee, submitted their report in favor of receiving the Wilmington subscription, which was adopted.

The committee on the report of the President of the Company and accompanying documents, through their chairman, Mr. Holmes, submitted a report, which was adopted; Mr. Stephenson then submitted the following resolution, which was carried: "Resolved, That the recommendations and suggestion of the committee on the reports be adopted as the sense of this meeting on the subject and matters referred to therein."

The chair appointed E. W. Charles, of Darlington, M. Moses, of Sumter, and S. J. Gibson, of Marion, committee on accounts.  
Col. F. J. Moses, offered the following resolution which was carried: "That the election for President and Directors shall now and at all times hereafter be by ballot."  
The committee on nominations reported the following gentlemen as nominated for President and Directors, who after being ballotted for were declared elected:

President—General W. W. Harlee.  
Directors—J. Eli Grigg, of Marion District, G. W. McCall, and E. W. Charles, of Darlington District, John J. Moore, and W. A. Muldrow, of Sumter, Alfred Smith, of Columbus county, N. C., E. B. Dudley, N. N. Nixon, Henry Hutt, and John A. Taylor, of Wilmington.

The following resolution offered by Mr. Law was adopted, "Resolved, That the President's annual report and the report of other officers of the company in future be required to be presented to the meeting of the Stockholders in printed form, said reports to be made up to the first of January in each year."  
On motion of Mr. Evans, it was Resolved, "That the proceedings of this convention be published in the Sumter Banner, Marion Star, and the Charleston and Wilmington papers;—and that the proceedings of this convention, including all the accompanying reports and exhibits, except the Treasurer's account, be published in pamphlet form under the direction of the Secretary of the Company, and that 300 numbers of copies be printed and distributed."  
On motion it was Resolved, "That when this meeting adjourns, it adjourn to meet at Marion Court House on the Wednesday after the fourth Monday in January, 1851."

The following resolutions offered by O. G. Parsley, Esq., were unanimously adopted:  
Resolved, That the thanks of this meeting be tendered to the Chairman for the very able, courteous, and judicious manner in which he has presided over its deliberations.  
Resolved, That the thanks of this meeting be tendered to the Secretaries for the faithful and efficient manner in which they have discharged their duties.

On motion, the meeting adjourned, *sine die*.  
WM. HAYNSWORTH, Chairman.  
MONTGOMERY MOSES, JOHN McRAE, Jr., Secretaries.

**N. C. CENTRAL RAIL ROAD.**—Gen. R. M. Saunders, Chairman of the Executive Committee appointed by the Greensboro Convention, has published in the Raleigh papers the following notice: "A Convention will be held in Hillsboro, on Wednesday the 27th of February, when it is expected the list of one hundred persons pledged to take the unsubscribed stock in the North Carolina Railroad Company will be complete. In the mean time, the friends of the great work are earnestly desired to use every effort to increase the positive subscriptions, as well as to add to the list of names of persons holding subscription papers of either description, and particularly requested to forward them, or attend the Convention in person. The General Commissioners are also invited to attend, that the necessary arrangements may be made for calling together the Stockholders at Salisbury, according to the terms of the Charter."

**REVENUE BOAT LAID UP.**—The Revenue Boat attached to this port, has been laid up, and the hands discharged, in pursuance of orders from the Treasury Department. It would be a puzzle to know how the boarding officer is to get aboard of vessels. We presume he will let it alone.

**CONGRESSIONAL ELECTION IN GEORGIA.**—It would seem that Jackson, Dem., has been chosen to represent the Savannah District, lately represented by Thomas Butler King, whig. The Democratic gain in Chatham county alone, was 468. Chatham county including the City of Savannah.

**GOOD FOR INDIANA.**—Governor WRIGHT, of Indiana, has ordered the following appropriate and patriotic sentiment to be placed upon the block of marble from that State, for the Washington Monument:—"Indiana knows no North, no South: nothing but the Union!"

**Supreme Court.**  
The Judges of this Tribunal have commenced delivering Opinions. The following are the first:  
By RUFFIN, C. J.—In *Stans v. ex rel. Williams v. Mizell's Adm.*, from Bertie, affirming the judgment. Also, in *Ray v. Ray*, in Equity, from Orange, remanding the cause. Also, in *Bullock v. Nelson*, from Guilford, affirming the bill.  
By NASH, J.—In *Miller v. Carpenter*, from Stanly, affirming the judgment. Also, in *Ned v. Worth v. Moore*, from Surry, affirming the judgment. Also, in *Sikes v. Paine*, from Tyrrell, affirming the judgment. Also, in *Anderson v. Doak*, from Guilford, affirming the judgment. Also, in *Waters to use of Pool v. Smaw*, from Beaufort, affirming the judgment. Also, in *Hamlin v. McNeill*, judgment here for the plaintiff. Also, in *Buie v. Baker*, in Equity, from Cumberland, directing a reference to the Master.

By PEARSON, J.—In *Beasley v. Downey*, from Granville, affirming the judgment below. Also, in *McKay v. Simpson*, in Equity, from Richmond, directing a decree that the defendant transfer the stock and pay the dividends accrued since the contract—Also, in *Hart v. Roper & Bostick*, in Equity, from Richmond, overruling the demurrer with cost—Also, in *Hales v. Ingram*, in Equity, from Anson; in the original bill the plaintiffs have decreed for costs—the cross-bill is dismissed with costs. Also, in *Johnson v. Chambers, from Person, directing a venire de novo. Also, in *Pool and wife v. Davis* from Pasquotank, declaring that there is error in the decree and dismissing the petition with costs. Also, in *Black v. Easton* from Pasquotank, directing a venire de novo.*

**Important from California—Three Millions in Gold.**  
The steamship *Empire City* arrived at New York on the 6th inst., with news from San Francisco to the date of the 21st of December. The *Empire City* brings about three millions of dollars in gold dust, and two hundred and ninety-eight passengers.

Among the passengers of the *Empire City* are the Hon. George W. Wright and Hon. Edward Gilbert, Representatives elect from the State of California; Hon. T. Butler King; S. Ward, Esq.; E. Harrison, Esq., Collector of the port of San Francisco; W. A. Buffum, Esq.; W. R. Kinder, Esq., bearer of important despatches from the United States boundary Commissioner to the Secretary of State; Surgeon A. J. Bowie, U. S. N.; Lieut. Norris, bearer of despatches from Commodore Jones; and F. W. Rice, Esq., one of the editors and proprietors of the Pacific Courier.

The steamship *Oregon*, Captain Pearson, arrived at Panama on the evening of January 20th, with 298 passengers—90 in the cabin and 208 in the steerage—having left San Francisco on the morning of New Year's day. She brought down the Hon. John C. Fremont and Hon. Wm. M. Gwin, Senators elect, and the two Representatives from the new State.

The vote for the adoption of the new constitution was 12,061 against 811.

Brigadier General Riley has issued a general order recognizing the supremacy of a State government under the new constitution, and relinquishing all the civil power which he had previously exercised.

**LEGISLATIVE PROCEEDINGS.**—The Legislature met December 15th, and was organized on the 17th, by the choice of Dr. T. J. White, of Sacramento, as Speaker of the Assembly, and E. K. Chamberlain, of San Diego, President pro tem of the Senate. Gov. Burnett was inaugurated on the 20th, immediately after which ceremony the Legislature voted *vide* *res* *pro* for United States Senators. Whole number of votes 46—necessary to a choice 24.

On the first ballot:  
John C. Fremont, 29 | T. Butler King, 10  
Wm. M. Gwin, 22 | John W. Geary, 10  
H. W. Halleck, 14 | Robert Semple, 3  
Thomas J. Henley, 9.

On the third ballot:  
Wm. M. Gwin, 24 | Thomas J. Henley, 3  
H. W. Halleck, 18 | John W. Geary, 10  
T. B. King, 1.

So that John C. Fremont and William M. Gwin were declared duly elected; Wm. V. Voorhies, of San Francisco, has been appointed Secretary of State; J. S. Houston, Comptroller; Major R. Roman, Treasurer; E. J. C. Kewen, Attorney General; Charles J. Whiting, Surveyor General; S. C. Hastings, Judge of the Supreme Court.

The whole number of votes thrown in the election for Governor and Representatives to Congress was only 15,000, although the State can probably poll 70,000 votes. There were ten candidates in the field for Congress; the highest on the list was G. W. Wright, formerly of Nantucket, who had 5,451 votes; the next was Edward Gilbert, one of the New York Volunteers, and one of the Editors of the *Alto Californian*, who had 5,300 votes.

**THE OFFICERS OF THE NEW STATE.**—The following is a list of the new State officers, Senators and Representatives in Congress, elected under the constitution ratified by the people at the election on the 13th November last, viz:  
Governor—Peter H. Burnett.  
Lieut. Governor—John McDougall.  
United States Senators—John C. Fremont, Wm. M. Gwin.  
Representatives in Congress—George W. Wright, Edward Gilbert.

**Secretary of State.**—Wm. Van Voorhies.  
**Treasurer.**—Richard Roman.  
**Comptroller.**—J. S. Houston.  
**Attorney General.**—Edward J. C. Kewen.  
**Surveyor General.**—Charles J. Whiting.  
**Chief Justice.**—S. C. Hastings.  
**Associate Justices.**—H. A. Lyon, Nathaniel Bennett.  
**Officers of the Senate.**—President, Hon. John McDougall, Lieut. Governor; Secretary, J. F. Howe; Assistant Secretary, M. Ollos; Enrolling Clerk, A. W. Luckett; Engineering Clerk, Bell; Doorkeeper, Sergeant-at-Arms, Thomas J. Austin; Doorkeeper, Eugene Russell.

**Officers of the Assembly.**—Speaker, T. J. White; Clerk, E. H. Tharp; Assistant Clerk, F. H. Sanford; Enrolling Clerk, A. D. Orr; Enrolling Clerk, G. Mitchell; Sergeant-at-Arms, S. Houston; Doorkeeper, J. Warrenton.

**Designations.**—Hon. Nathaniel Bennett, Senator from the District of San Francisco, and William Van Voorhies, Representative, have resigned their seats in their respective bodies.

**Governor's MESSAGE.**—The message of Gov. Burnett is spoken of as a business-like and well-written paper. He thinks that the Legislature should at once proceed to putting the machine of government into motion, without waiting for the admission of the new State to Congress. Such a course, he thinks, does not conflict with the constitution, since it was pursued both in Missouri and Michigan.

In the adoption of a civil and criminal code of law for California, he advises that the basis of the legal system of the State be laid by the adoption of:  
1. The definition of crimes and misdemeanors contained in the Common Law of England.  
2. The English Law of Evidence.  
3. The English Criminal Law, as revised by a select committee.  
4. The Civil Code of the State of Louisiana.  
5. The Louisiana Code of Practice.

The Governor says but little upon the subject of slavery, which he seems to consider settled by the constitution; but he argues strongly in favor of prohibiting free negroes from coming into or settling in the new State.

For the purpose of maintaining the government, he recommends a general system of direct taxation, in the place of any attempt to negotiate a loan.  
On the 24th of December, San Francisco was visited by a very destructive fire, the loss by which the California estimates at a million and a half of dollars. Of course, this estimate is based upon a California valuation. Some ten or twelve of the best buildings in San Francisco were destroyed. About the same time, a fire occurred at Stockton, which destroyed \$150,000 worth of property.

**MURDER AT SAN FRANCISCO.**—An atrocious murder was committed on the morning of the 10th of December, at the Bella Union, in San Francisco, by a young man, known in fashionable circles in New York, named Reuben Withers. The deceased was a member of a band of minstrels, named Arthur C. Reynolds. He was sleeping in the back room of the Bella Union on the morning in question, when Withers, in a state of intoxication, entered and ordered him out. Words ensued, when Withers drew his knife and stabbed Reynolds in the neck, causing his instant death. The patient, who had no previous acquaintance with each other, and the result was entirely unprovoked. Withers, after committing the deed, fled, and has not been heard from.

**BUSINESS MATTERS.**—The prospects for gold hunters for the next season were considered very flattering. It was thought that a much larger amount would be taken out than was the past year. Gold digging had been mostly suspended for the season, and great many persons were flocking into the towns. Wages of common laborers were much lower, only from four to six dollars being paid. Mechanics, such as carpenters, masons, &c., commanded from \$12 to \$16 a day. The country is over-run with printers.

**THE TRANSPORTATION OF GOLD AND SILVER.**—The public abroad are little aware of the astonishing amount of gold and silver which passes from this point to China, daily across the Isthmus of Panama. The long trains of mules which pass out of our city daily, loaded with ingots of gold and silver, and boxes of specie and gold dust, would have made the heart of a buccanier in the olden time dance with transport and fill the mind of the dazed adventurer with dizzy visions of inexhaustible wealth. These amounts are only those transmitted by public agents here, while the vast treasure from California quietly carried over by private individuals and which can scarcely be correctly over-estimated, as no account is to be had of it below, must greatly exceed that from this place from the 1st of last October to the beginning of the present year.

**Gold Forwarded across the Isthmus.**  
By Zachrisson, Nelson & Co., \$205,844 08  
" R. M. Steamship Co., 767,090 00  
" Private individuals, (estimated), 2,500,000 00  
Total, \$3,532,844 08  
Gold and silver by R. M. S. S. Co. from S. Am. Mexico, &c., 4,000,000 00  
Making the sum total, \$7,532,844 08  
On the night of the 20th Dec., a party of armed

Chileans, numbering about 200, attacked an American camp at the Calaveras diggings, consisting of about twenty persons. Three means were taken prisoners. The Chileans said they were acting under orders from the authorities, and were not even allowing the prisoners in the direction of the Stockton, not even allowing the wounds of the fortunate men to be dressed.







